

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,
Plaintiff,
vs.
MOTOROLA, INC., et al.,
Defendants.

MOTOROLA MOBILITY LLC, et al.,
Plaintiffs,
vs.
MICROSOFT CORPORATION,
Defendants.

Case No. C10-1823-JLR

DECLARATION OF CHRISTOPHER
WION IN SUPPORT OF
MICROSOFT'S RESPONSE TO
DEFENDANTS' REQUEST FOR
JUDICIAL NOTICE

I, Christopher Wion, hereby declare as follows:

1. I am an attorney at the law firm of Calfo Harrigan Leyh & Eakes LLP, one of the law firms representing Microsoft Corporation ("Microsoft") in the above-captioned matter, and have personal knowledge of the facts stated herein.

2. Attached hereto as Exhibit A is a true and correct copy of Trial Ex. 6836, FTC Decision and Order in the Google/Motorola Matter, Dkt. No. C-4410, at Article II(E)(2).

DECLARATION OF CHRISTOPHER WION IN
SUPPORT OF MICROSOFT'S RESPONSE TO
DEFENDANTS' REQUEST FOR JUDICIAL
NOTICE- 1

LAW OFFICES
CALFO HARRIGAN LEYH & EAKES LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL, (206) 623-1700 FAX, (206) 623-8717

3. Attached hereto as Exhibit B is a true and correct copy of Trial Ex. 6076, European Commission Memo re: Motorola Mobility Misuse of Mobile Phone Standard-Essential Patents Q&As, at MS-MOTO_1823_00005258273.

4. Attached hereto as Exhibit C is a true and correct copy of Trial Ex. 6828, Inv. No. 337-TA-752, 10/24/12 Motion to Terminate.

5. Attached hereto as Exhibit D is a true and correct copy of Trial Ex. 1635, Inv. No. 337-TA-752, 6/29/12 Remand Order.

6. Attached hereto as Exhibit E is a true and correct copy of Trial Ex. 6829, Inv. No. 337-TA-752, 1/8/13 Motion to Terminate.

7. Attached hereto as Exhibit F is a true and correct copy of Inv. No. 337-TA-752,
3/22/13 Final Initial Remand Determination.

8. Attached hereto as Exhibit G is a true and correct copy of Trial Ex. 6005, Inv. No. 337-TA-752, 5/23/13 Commission Notice Not to Review.

9. Attached hereto as Exhibit H is a true and correct copy of Trial Ex. 3419, Inv. No. 337-TA-752, 4/23/12 Initial Determination at 300-301.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 3rd day of September, 2013 in Seattle, Washington.

s/ Christopher Wion
CHRISTOPHER WION

CERTIFICATE OF SERVICE

I, Florine Fujita, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.
2. On the 3rd day of September, 2013, I caused the preceding document to be served on counsel of record in the following manner:

Attorneys for Motorola Solutions, Inc., and Motorola Mobility, Inc.:

Ralph Palumbo, WSBA #04751
Philip S. McCune, WSBA #21081
Summit Law Group
315 Fifth Ave. South, Suite 1000
Seattle, WA 98104-2682
Telephone: 206-676-7000
Email: Summit1823@summitlaw.com

_____ Messenger
_____ US Mail
_____ Facsimile
 X ECF

Steven Pepe (*pro hac vice*)
Jesse J. Jenner (*pro hac vice*)
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036-8704
Telephone: (212) 596-9046
Email: steven.pepe@ropesgray.com
Email: jesse.jenner@ropesgray.com

_____ Messenger
_____ US Mail
_____ Facsimile
 X ECF

Norman H. Beamer (*pro hac vice*)
Ropes & Gray LLP
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303-2284
Telephone: (650) 617-4030
Email: norman.beamer@ropesgray.com

_____ Messenger
_____ US Mail
_____ Facsimile
 X ECF

Paul M. Schoenhard (*pro hac vice*)

Ropes & Gray LLP

One Metro Center

700 12th Street NW, Suite 900

Washington, DC 20005-3948

Telephone: (202) 508-4693

Email: Paul.schoenhard@ropesgray.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

Andrea Pallios Roberts (*pro hac vice*)

Brian C. Cannon (*pro hac vice*)

Elanor Mangin (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

555 Twin Dolphin Drive, 5th Floor

Redwood Shores, CA 94065

Telephone: (650) 801-5000

Email: andreaproberts@quinnemanuel.com

Email: briancannon@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

Kathleen M. Sullivan (*pro hac vice*)

David Elihu (*pro hac vice*)

Ellyde Roko Thompson (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Ave., 22nd Floor

New York, NY 10010

Telephone: (212) 849-7000

Email: kathleensullivan@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

William Price (*pro hac vice*)

Quinn Emanuel Urquhart & Sullivan, LLP

865 S. Figuera St., 10th Floor

Los Angeles, CA 90017

Telephone: (212) 443-3000

Email: williamprice@quinnemanuel.com

MicrosoftvMotoBreachofRANDCase@quinnemanuel.com

____ Messenger

____ US Mail

____ Facsimile

X ECF

DATED this 3rd day of September, 2013.

s/ Florine Fujita

FLORINE FUJITA